

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

GRONHOJ-LARSEN=2

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

**09/101825**

INTERNATIONAL APPLICATION NO.  
**PCT/DK97/00021**

INTERNATIONAL FILING DATE  
**16 January 1997**

PRIORITY DATE CLAIMED  
**18 January 1996**

TITLE OF INVENTION  
**SYNTHETIC IL-10 ANALOGUES**

APPLICANT(S) FOR DO/EO/US  
**Christian GRONHOJ-LARSEN**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

1. A courtesy copy of the specification as originally filed.
2. A small entity statement - small business concern.
3. A courtesy copy of the first page of the International Publication (WO97/26279).
4. A courtesy copy of the International Search Report.
5. A courtesy copy of the International Preliminary Examination Report with annexes.

Note: Please use the specification pages and the claims as they appear in the  
IPER annexes in place of the corresponding specification pages and original  
claims for examination in this case.

6. Formal drawings, 14 sheets, figures 1-14.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. <b>PCT/DK97/00021</b>		ATTORNEY'S DOCKET NUMBER <b>GRONHOJ-LARSEN=2</b>	
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**17. ☒ The following fees are submitted:**

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$1070.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$930.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$790.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$720.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$98.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	claims fees not submitted
Total claims	17 - 20 =		x \$22.00	\$	
Independent claims	8 - 3 =		x \$82.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	930.00
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$	- 465.00
<b>SUBTOTAL =</b>				\$	465.00
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>(BASIC) TOTAL NATIONAL FEE =</b>				\$	465.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$	465.00
				Amount to be refunded:	\$
				charged:	\$

**CALCULATIONS PTO USE ONLY**

  

a. ☒ A check in the amount of \$ 465.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any deficiency in the basic national fee only,  
or credit any overpayment to Deposit Account No. 02-4035 . A duplicate copy of this sheet is enclosed.

  

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**BROWDY AND NEIMARK, P.L.L.C.**  
419 Seventh Street N.W., Suite 300  
Washington, D.C. 20004

SIGNATURE  
**Iver P. Cooper**

NAME  
**28,005**

REGISTRATION NUMBER

**Date of this submission: July 17, 1998**

Applicant or Patentee: \_\_\_\_\_ Case Dock t No. GRØNHØJ-LARSEN=2  
Serial or Patent No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
For: Synthetic IL-10 Analogues (Nat'l Phase of PCT/DK97/00021)

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below.  
☒ an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF CONCERN Steen Research Group A/S  
ADDRESS OF CONCERN Dunbirkevej 6, DK-5250 Odense SV, Denmark

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled Synthetic IL-10 Analogues  
by inventor (s) Christian Grønhøj Larsen and Borbala Gesser described in

- ☐ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the right held by the above identified small business concern is not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

FULL NAME Connective Therapeutics  
ADDRESS 3400 West Bayshore Road, Palo Alto, CA 94303, USA  
☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.  
(37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Steen Grøsted Larsen  
TITLE OF PERSON OTHER THAN OWNER Managing director  
ADDRESS OF PERSON SIGNING \_\_\_\_\_

SIGNATURE [Signature] DATE 12/6 1998

In re Application of: GRONHOJ-LARSEN, et al.  
 Serial No.: 09/101,825  
 Filed: July 17, 1998  
 For: SYNTHETIC IL-10 ANALOGUES

Art Unit:  
 Examiner:  
 Washington, D.C.  
 Atty.'s Docket: GRONHOJ-LARSEN=2  
 Date: January 29, 1999

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
 Washington, D.C. 20231

Sir:

Transmitted herewith is an ☐ Amendment ☒ Second Preliminary Amendment

in  
 the above-identified application.

☒ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

☐ No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	Small Entity	Other Than a Small Entity
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Additional Fee
Total 31	Minus 20	=11	x 9	\$99.00
Indep. 3	Minus 3	= 0	x39	\$
First Presentation of Multiple Dependent Claim			+130	\$
TOTAL ADDITIONAL CLAIMS FEE			\$99.00	Total \$

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required applicant requests that this be considered a petition therefor.

☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- ☐ First - \$ 55.00  
☐ Second - \$190.00  
☐ Third - \$435.00  
☐ Fourth - \$680.00

Other Than Small Entity

Response Filed Within

- ☐ First - \$ 110.00  
☐ Second - \$ 380.00  
☐ Third - \$ 870.00  
☐ Fourth - \$1360.00

☐ Less fees (\$ ) already paid for months extension of time on

☐ Please charge my Deposit Account No. 02-4035 in the amount of \$ . A duplicate copy of this sheet is attached.

☒ A check in the amount of \$99.00 is attached (check no. 21305).

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR Section 1.18.

BROWDY AND NEIMARK  
 Attorneys for Applicant(s)

By:

IVER P. COOPER  
 Registration No. 28,005

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